



# GENERAL ASSEMBLY

## COMMONWEALTH OF KENTUCKY

### 2006 REGULAR SESSION

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HOUSE BILL NO. 361

AS ENACTED

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MONDAY, APRIL 10, 2006

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RECEIVED AND FILED  
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TREY GRAYSON  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY R. Allen

AN ACT relating to candidates.

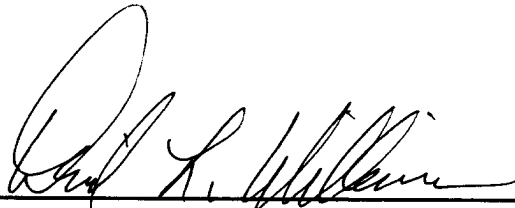
***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

1       Section 1. KRS 118.315 is amended to read as follows:

- 2       (1) A candidate for any office to be voted for at any regular election may be nominated  
3       by a petition of electors qualified to vote for him or her, complying with the  
4       provisions of subsection (2) of this section. No person whose registration status is  
5       as a registered member of a political party shall be eligible to election as an  
6       independent candidate, nor shall any person be eligible to election as an  
7       independent candidate whose registration status was as a registered member of a  
8       political party on January 1 immediately preceding the regular election for which  
9       the person seeks to be a candidate. This restriction shall not apply to candidates to  
10      those offices specified in KRS 118.105(7), for supervisor of a soil and water  
11      conservation district, for candidates for mayor or legislative body in cities of the  
12      second to sixth class, or to candidates participating in nonpartisan elections.
- 13      (2) The form of the petition shall be prescribed by the State Board of Elections. It shall  
14      be signed by the candidate and by registered voters from the district or jurisdiction  
15      from which the candidate seeks nomination. The petition shall include a declaration,  
16      sworn to by the candidate, that he or she possesses all the constitutional and  
17      statutory requirements of the office for which the candidate has filed. Signatures for  
18      a petition of nomination for a candidate seeking any office, excluding President of  
19      the United States in accordance with KRS 118.591(1), shall not be solicited prior to  
20      the first Wednesday after the first Monday in November of the year preceding the  
21      year in which the office will appear on the ballot. A petition of nomination for a  
22      state officer, or any officer for whom all the electors of the state are entitled to vote,  
23      shall contain five thousand (5,000) petitioners; for a representative in Congress  
24      from any congressional district, or for any officer from any other district except as  
25      herein provided, four hundred (400) petitioners; for a county officer, member of the

- 1 General Assembly, or Commonwealth's attorney, one hundred (100) petitioners; for  
 2 a soil and water conservation district supervisor, twenty-five (25) petitioners; for a  
 3 city officer or board of education member, two (2) petitioners; and for an officer of  
 4 a division less than a county, except as herein provided, twenty (20) petitioners. It  
 5 shall not be necessary that the signatures of the petition be appended to one (1)  
 6 paper. Each petitioner shall include the date he or she affixes the signature,~~[his]~~  
 7 address of residence, and~~[Social Security number or]~~ date of birth. Failure of a  
 8 voter to include the signature affixation date,~~[his Social Security number or]~~ date  
 9 of birth, and address of residence shall result in the~~[his]~~ signature not being  
 10 counted. If any person joins in nominating, by petition, more than one (1) nominee  
 11 for any office to be filled, he or she shall be counted as a petitioner for the  
 12 candidate whose petition is filed first, except a petitioner for the nomination of  
 13 candidates for soil and water conservation district supervisors may be counted for  
 14 every petition to which his or her signature is affixed.
- 15 (3) Titles, ranks, or spurious phrases shall not be accepted on the filing papers and shall  
 16 not be printed on the ballots as part of the candidate's name; however, nicknames,  
 17 initials, and contractions of given names may be accepted as the candidate's name.
- 18 (4) The Secretary of State and county clerks shall examine the petitions of all  
 19 candidates who file with them to determine whether each petition is regular on its  
 20 face. If there is an error, the Secretary of State or the county clerk shall notify the  
 21 candidate by certified mail within twenty-four (24) hours of filing.

  
\_\_\_\_\_  
Speaker-House of Representatives

  
\_\_\_\_\_  
President of the Senate

Attest:   
\_\_\_\_\_  
Chief Clerk of House of Representatives

Approved   
\_\_\_\_\_  
Governor

Date 4/21/06